1  LIAM K. MALONE, SBN 288202
   malone@oles.com
2  OLES MORRISON RINKER & BAKER, LLP
   492 Ninth Street, Suite 220
3  Oakland, California 94607
   Telephone: (510) 903-2001
4  Facsimile: (510) 903-2015

5
   *Attorneys for Plaintiff,*
6  *Dragados USA, Inc.*

7

8                    **UNITED STATES DISTRICT COURT**

9                    **EASTERN DISTRICT OF CALIFORNIA**

10

11 DRAGADOS USA, INC., a Delaware       ) Case Number: 2:20-CV-00204-TLN-DB
   corporation,                         )
12                                      )
                    Plaintiff,          ) **JOINT STIPULATION OF**
13                                      ) **DISMISSAL WITHOUT**
          v.                            ) **PREJUDICE; ORDER**
14                                      )
   SACRAMENTO REGIONAL COUNTY           )
15 SANITATION DISTRICT, a California     )
   local entity,                        )
16                                      )
                    Defendant.          )
17                                      )
                                        )
18

19       The parties to this action Plaintiff Dragados USA, Inc. and Defendant Sacramento

20 Regional County Sanitation District hereby stipulate that:

21       1.      This action shall be dismissed without prejudice and Plaintiff Dragados

22 USA, Inc. will promptly file a complaint against Defendant Sacramento Regional

23 County Sanitation District in Sacramento County Superior Court with a demand for

24 judicial reference in accordance with Section 00 73 83, 22 Paragraph 1.05(A) of the

25 Contract and California Code of Civil Procedure section 638.

                                • 1 •
26 JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE;
   ORDER                            Case No: 2:20-CV-00204-TLN-DB

2.      The parties, and each of them, reserve all rights enumerated in California

Code of Procedure § 638, *et seq.*

3.      The parties will bear their own fees and costs.

Date: June 25, 2020                     Oles Morrison Rinker & Baker LLP

*/s/  Liam K. Malone*
Liam K. Malone for
Plaintiff Dragados USA, Inc.

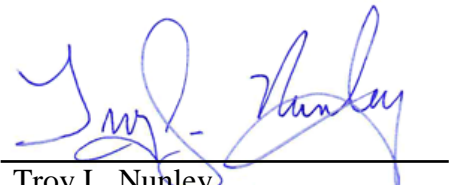Date: June 25, 2020                     Lewis Brisbois Bisgaard & Smith LLP

*/s/ John S. Paulos-authorization given*
John S. Poulos for
Defendant Sacramento Regional County
Sanitation District

     The Joint Stipulation of Dismissal is granted.

**IT IS SO ORDERED**.

Dated: June 26, 2020

Troy L. Nunley
United States District Judge

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE;
ORDER                     Case No: 2:20-CV-00204-TLN-DB